

**PSYCHOLOGY EXAMINING BOARD  
MEETING MINUTES  
FEBRUARY 4, 2009**

**PRESENT:** Don Crowder, Ph.D.; Bruce Erdmann, Ph.D.; Gerald Hollander, Ph.D.; Teresa Rose; Erica Serlin, Ph.D.

**EXCUSED:** Cynthia Bagley

**STAFF:** Jeff Scanlan, Bureau Director; Peggy Wichmann, Legal Counsel; Kimberly Wood, Minute Taker and other DRL Staff

**GUESTS:** Sarah Bowen, Wisconsin Psychological Association (WPA)

**CALL TO ORDER**

Don Crowder called the meeting to order at 9:15 a.m. A quorum of 5 members was present.

**APPROVAL OF AGENDA**

**Amendments:**

- Between Item “I & J” (closed session) – Monitoring: Steven R. Stein, Ph.D. – Petition for Termination of License Limitations and Reinstatement of Unrestricted License

**MOTION:** Erica Serlin, Ph.D. moved, seconded by Teresa Rose, to approve the February 4, 2009 agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF DECEMBER 3, 2008**

**MOTION:** Erica Serlin, Ph.D. moved, seconded by Teresa Rose, to approve the minutes of December 3, 2008 as published. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

### **Personnel Changes**

The Board was advised of the following personnel changes:

- Gina York has retired and Kimberly Wood will be assisting with her workload.
- Melissa Fordahl, Education Approval Processor, has left Regulation and Licensing creating a vacancy in the Office of Education and Examinations.
- Kim Nania and Roxanne Peterson, Division of Board Services, will be retiring as of February 13, 2009.
- Mike Berndt is no longer Health Attorney Supervisor, Division of Enforcement, and is now acting as interim General Counsel.
- Jack Temby is now handling supervision for the Health and Business Attorneys in Enforcement.
- The Department is working to transfer the Administrative Law Judge (ALJ) function to Office of Hearings and Appeals. In the interim Nick Schweitzer, DOE Attorney, has been temporarily transferred from the DOE Business Team to the Office of Legal Counsel to act as an Administrative Law Judge and will be assuming the majority of cases.
- Arthur Thexton has been moved from the DOE's Health Team to the DOE Business Team to assist with the workload left by Nick Schweitzer.
- Larry Martin, Executive Assistant, will be leaving DRL to take a position in the Office of the Governor as the Director of Outreach effective Monday, February 9, 2009
- Jeff Scanlan has assumed the role of Bureau Director for the Board of Nursing.

### **Evaluations**

Jeff Scanlan directed the Board's attention to a survey which was provided at today's meeting. This survey is intended to be used as a self evaluation form for the Board. Instruction on the completion, collection and review of the Board Member Satisfaction Survey was conducted. The Department encourages the utilization of this evaluation. The Board also was informed that completion is voluntary and subject to open records requests. The need to continue this survey will be reviewed by the Department in six (6) months.

### **Division of Enforcement's Automatic CE Audits**

The Board was informed that due to lack of resources a temporary hold has been placed on the automatic continuing education (CE) audits conducted by DOE upon intake of complaints as well as the CE audits conducted by the Office of Education and Examinations. Once the Department is able to fill the vacancy left in the Education and Examinations area, CE audits will resume. The Board was also advised of the ability to backdate CE audits for up to five (5) years.

## **Board Chair Training**

The Board was informed that the Department would like to conduct a Board Chair training in November 2009.

## **ELECTIONS**

**MOTION:** Erica Serlin, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to nominate Don Crowder, Ph.D. as Board Chair. Motion carried unanimously.

**MOTION:** Teresa Rose moved, seconded by Bruce Erdmann, Ph.D., to nominate Erica Serlin, Ph.D. as Vice Chair. Motion carried unanimously.

**MOTION:** Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to nominate Teresa Rose as Secretary. Motion carried unanimously.

<b>2009 ELECTION RESULTS</b>	
Chair	Don Crowder, Ph.D.
Vice Chair	Erica Serlin, Ph.D.
Secretary	Teresa Rose

## **BOARD ASSIGNMENTS**

### **Screening Panel Members, Committee Assignments & Board Liaisons**

Don Crowder, Ph.D., Chair, made the following Board assignments at today's meeting.

Screening Committee – Teresa Rose, Erica Serlin, Ph.D.

Application Review Sub-Committee – Gary Hollander, Ph.D., Bruce Erdmann, Ph.D.

DOE Monitoring Liaison – Don Crowder, Ph.D.

Credentialing Liaison – Gary Hollander, Ph.D., Bruce Erdmann, Ph.D.

CE Liaison – Gary Hollander, Ph.D.

Practice Questions – Don Crowder, Ph.D., Bruce Erdmann, Ph.D.

Impaired Professionals Procedure (IPP) – Erica Serlin, Ph.D.

## **ANNUAL POLICY REVIEW WITH THE BOARDS**

Jeff Scanlan conducted an annual review of the following Department policy and procedures with the Board:

- Quorum Policy and Procedure
- Agendas and Addendums
- Hotel Policy and Reservations
- Travel Vouchers and Per Diems
- Out-of-State Travel Policy
- State of Wisconsin Pocket Travel Guide
- Checked Baggage Policy
- Approved Board Meeting Dates for 2009

## **PRESENTATION OF PROPOSED STIPULATIONS**

None.

## **PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE RECEIVED IN THE BUREAU AFTER MAILING OF AGENDA**

None.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES**

Jeff Scanlan reviewed the summary reports with the Board.

## **DISCUSSION OF GOALS AND MISSION STATEMENT OF THE PSYCHOLOGY EXAMINING BOARD**

None.

## **FINAL REPORT OF AUDIT OF CONTINUING EDUCATION REQUIREMENTS FOR PSYCHOLOGISTS AND PRIVATE PRACTICE SCHOOL PSYCHOLOGISTS – JILL REMY, PROGRAM MANAGER, OFFICE OF EDUCATION AND EXAMINATION**

The Board noted the final results of a CE audit of registration types 57 (psychologist) and 58 (private practice school psychologist) licenses for 2008.

**UPDATE TO BOARD ON JURISPRUDENCE EXAM DELIVERY – GAIL PIZARRO,  
PH.D., EXAM SPECIALIST, OFFICE OF EDUCATION AND EXAMINATION**

Gail Pizarro, Ph.D., informed the Board of the new electronic method for delivery of the jurisprudence exam and answered questions posed by the Board. The possibility of changing the jurisprudence exam format to an open book exam was explored, but no action was taken at this time.

**BOARD REVIEW OF DRAFT STATUTORY LANGUAGE FOR INCLUSION INTO  
BOARD LEGISLATIVE DRAFT REGARDING TEMPORARY PRACTICE**

Peggy Wichmann reviewed the statutory language draft regarding the temporary practice of psychologists not licensed in Wisconsin. The Board will bring this item back at its March meeting.

**FYI ITEM – POSTING OF INFORMATION TO PRACTICE FAQ: DEFINITION OF  
FACE-TO-FACE HOURS AND HOURS OF DIRECT SERVICE**

The Board reviewed a draft definition of face-to-face hours and hours of direct service for approval to post on the Department website as a frequently asked question. The Board discussed the need to elaborate regarding the face-to-face and direct service percentages of the 3,000 hour requirement. The Board requires 3,000 hours of supervised experience of which 25% (375 hours) must be face-to-face hours and 40% (600 hours) must be direct service. The FAQ was not finalized as the language surrounding face-to-face vs. direct supervision requirements may need further clarification. This topic may be revisited at a future meeting.

**FYI ITEM – UPDATE TO BOARD ON REVISION OF BOARD FORM #2555 AND #2557  
TO REFLECT CHANGE TO COUNTING FACE-TO-FACE HOURS VERSUS DIRECT  
SERVICE HOURS**

The Board reviewed revisions to the application forms #2555 and #2557 in conjunction with their review of the frequently asked question regarding definition of face-to face and direct supervision percentage requirements. The Board discussed further clarification to be addressed on the application forms. This topic may be revisited at a future meeting.

**STATUS OF RULES AND STATUTES FOR ALL PENDING LEGISLATION**

**STATUS OF LRB 073527/1**

This item was covered during the administrative report.

## **STATUS OF PROPOSED HFS 35**

The Board was advised that HFS 35 has passed and that it is expected to become effective in April 2009. Comments on this new rule were provided by Sarah Bowen, Wisconsin Psychological Association (WPA).

## **REVIEW OF PROPOSED DRAFT RULES: CHANGES TO S. MPSW 1.11 PSYCHOMETRIC TESTING**

The Board reviewed the rule draft, discussed the content and made changes. The revised draft will be brought back to the next meeting.

## **ASPPB REPORT**

Don Crowder advised that prior Psychology Examining Board member, Dr. Barbara Van Horn, Ph.D. thanked the Board for nominating her for the ASPPB Norma P. Simon Award. Jeff Scanlan informed the Board that he has been invited to sit on a panel which will be addressing psychometric testing and to attend Board Administrators/Registrars Meeting (BARC) at the ASPPB Midyear Meeting Thursday, April 23-24, 2009 in Boston Massachusetts.

## **REVIEW OF CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL**

None.

## **PUBLIC COMMENT**

None.

## **CLOSED SESSION**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g), for the purpose of conducting oral interviews, reviewing monitoring requests, requests to extend practice, application reviews, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Don Crowder, Ph.D.-yes; Bruce Erdmann, Ph.D.-yes; Gerald Hollander, Ph.D.-yes; Teresa Rose-yes; Erica Serlin, Ph.D.-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:44 a.m.

## **RECONVENE TO OPEN SESSION**

**MOTION:** Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:05 p.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE**

### **DELIBERATION OF MONITORING THAT MAY BE RECEIVED AFTER THE MAILING OF THE AGENDA**

#### **STEVEN STEIN, PH.D. REQUESTING FULL LICENSURE**

**MOTION:** Teresa Rose moved, seconded by Bruce Erdmann, Ph.D., to grant the request for full licensure in the matter of Steven R. Stein, Ph.D. Motion carried unanimously.

### **ORAL INTERVIEWS OF APPLICANTS – APPROVAL FOR LICENSURE**

**MOTION:** Teresa Rose moved, seconded by Gerald Hollander, Ph.D., to grant licensure to practice psychology to Wendi Marien, Ph.D.; Jeffrey Figgatt, Psy.D.; Lori Phelps, Ph.D.; Lara Head, Ph.D.; Toni Morgan-Jones, Ph.D.; Heather Henrickson, Ph.D. and Emelyne Woessner, Ph.D. Motion carried unanimously.

**MOTION:** Teresa Rose moved, seconded by Erica Serlin, Ph.D., to grant licensure to practice psychology to Kelly Duggan, Psy.D. Motion carried. Abstained: Bruce Erdmann

(David Wood, Ph.D. and Rita Schmitt, School Psychologist, did not appear for the oral interviews conducted 2/4/2009.)

## **ADDITIONAL INFORMATION SUBMITTED FOR REVIEW**

- MOTION:** Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to accept the additional information submitted by Wendi Marien, Ph.D.; Jeffrey Figgatt, Psy.D.; Lori Phelps, Ph.D.; Lara Head, Ph.D.; Toni Morgan-Jones, Ph.D.; Heather Henrickson, Ph.D.; and Emelyne Woessner, Psy.D. Motion carried unanimously.
- MOTION:** Erica Serlin, Ph.D. moved, seconded by Gerald Hollander, Ph.D., to accept the additional information submitted by Kelly Duggan, Psy.D. Motion carried. Abstained: Bruce Erdmann, Ph.D.
- MOTION:** Bruce Erdmann, Ph.D. moved, seconded by Teresa Rose, to accept the additional information submitted by Paula Cooper, Ph.D. Motion carried. Abstained: Gerald Hollander, Ph.D.

## **APPLICATION REVIEWS**

### **NIKOLAUS WERNER, PSY.D.**

- MOTION:** Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Nikolaus Werner, Psy.D., with a request to send a letter indicating that the Board expressed concerns competence in the area(s) of consultation, behavioral modification with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried. Abstained: Bruce Erdmann, Ph.D.

### **MICHAEL AXELROD, PH.D.**

- MOTION:** Gerald Hollander, Ph.D. moved, seconded by Teresa Rose, to admit to Ethics, Jurisprudence Exam and Oral Interview Michael Axelrod, Ph.D. Motion carried unanimously.

### **RACHEL CAUFIELD, PSY.D.**

- MOTION:** Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Rachel Caufield, Psy.D. with a request to send a letter indicating that the Board expressed concerns competence in the area(s) of adult and inpatient with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.



**EMILY RUTH, PSY.D.**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Emily Ruth, Psy.D. with a notation indicating that the Board requested that she leave off crisis intervention as a specialty as it is not a recognized and with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

**AMY GURKA, PH.D.**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Teresa Rose, to admit to Ethics, Jurisprudence Exam and Oral Interview Amy Gurka, Ph.D. Motion carried unanimously.

**CASEY HANSON, PH.D.**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Teresa Rose, to not admit to Ethics, Jurisprudence Exam and Oral Interview Casey Hanson, Ph.D. with a request to send a letter indicating that the Board expressed concerns competence in the area(s) of consultation, ADD, behavioral modification, eating disorder, competency, forensics, preschool, geriatric, marital/conjoint, play therapy, supervision and seeking a clarification of what supervision was obtained while serving as a psychometrician with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

**MICHAEL VITACCO, PH.D.**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Erica Serlin, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Michael Vitacco, Ph.D. with a request to send a letter indicating that the Board expressed concerns competence in the area(s) of therapy, forensic psychology, and a clarification of what supervision he is doing for pre-doctoral interns without a license per his CV statement with a reminder of the requirement to limit practice to those areas in which competence is established by adequate education, training, and experience. Motion carried unanimously.

**PAULA COOPER, PH.D.**

**MOTION:** Erica Serlin, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to admit to Ethics, Jurisprudence Exam and Oral Interview Paula Cooper, Ph.D.  
Motion carried. Abstained: Gerald Hollander, Ph.D.

**APPLICATION REVIEWS RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER  
MAILING OF AGENDA**

None.

**DELIBERATION OF PROPOSED ADMINISTRATIVE WARNINGS THAT MAY BE  
SIGNED AFTER MAILING OF AGENDA**

None.

**NOTICE TO PSYCHOLOGY BOARD OF SUIT: "DR. CHARLENE KAVANAGH  
(PLANTIFF) V. WISCONSIN PSYCHOLOGY EXAMINING BOARD, ITS STAFF AND  
INVESTIGATORS, AND JACK ZWEIG, WISCONSIN DEPARTMENT OF  
REGULATION AND LICENSING (DEFENDANTS)**

Noted.

**REQUEST FOR WAIVER OF CONTINUING EDUCATION REQUIREMENT  
SUBMITTED BY ROBERT M. BROWNING**

**MOTION:** Erica Serlin, Ph.D. moved, seconded by Bruce Erdmann, Ph.D., to grant a waiver of continuing education as requested by Robert M. Browning.  
Motion carried unanimously.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS IN THE  
MATTER OF DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING  
OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR REHEARINGS SIGNED AFTER THE  
MAILING OF THE AGENDA**

None.

**DIVISION OF ENFORCEMENT - CASE STATUS REPORT**

**08 PSY 024**

**MOTION:** Bruce Erdmann, Ph.D. moved, seconded by Erica Serlin, Ph.D., to close case 08 PSY 024, in the matter of P.H., for no violation. Motion carried unanimously.

**02 PSY 021**

**MOTION:** Teresa Rose moved, seconded by Erica Serlin, Ph.D., to close case 02 PSY 021, in the matter of D.H., for prosecutorial discretion. Motion carried unanimously.

**DOE SIGNATURE COLLECTION**

Signatures were obtained for required items.

**OTHER SECTION BUSINESS**

Erica Serlin, Ph.D. advised the Board of correspondence she has received regarding concerns that the publication of the Regulatory Digest is no longer published. Jeff Scanlan informed the Board that the Department is working to address this issue by creating a committee of DRL employees that is currently investigating topics such as redesign of the website and issues such as the Regulatory Digest.

**ADJOURNMENT**

**MOTION:** Gerald Hollander, Ph.D. moved, seconded by Teresa Rose, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:50 p.m.